

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012**

**May 4, 2010**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. Approval of regular meeting minutes of April 6, 2010
  - B. Approval of special meeting minutes of April 15, 2010
  - C. Approval of regular meeting minutes of April 20, 2010
  - D. Approval of special joint City Council and Broken Arrow Municipal Authority meeting minutes of April 27, 2010
  - E. Acceptance of the minutes of the Planning Commission meeting held April 8, 2010.
  - F. Consideration and possible approval of appointments for the Broken Arrow Economic Development Corporation Board of Directors
  - G. Approval of and authorization to execute a 911 Maintenance Service Agreement between the City of Broken Arrow and Windstream Communications effective July 1, 2010
  - H. Approval of a Lease Agreement between the City of Broken Arrow and Sprint Nextel for communications site
  - I. Approval of Bids received, award the most advantageous bid to Tri-Star Construction, LLC and authorize the City Manager to execute a construction Contract implementing this award for Haikey Creek Bank Stabilization and Detention Pond Improvements (Buford Park)
  - J. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
  - A. Approval of and authorization to execute a Proclamation recognizing Broken Arrow senior citizens for their contributions to the community and proclaiming May 10-14, 2010 as "Senior Celebration Week"
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**
- 9. General Council Business**
  - A. Consideration and possible approval of First Amendment to Memorandum of Understanding Regarding the ONG Pipeline Relocation between the City of Broken Arrow and Roland Investments, Ltd.
  - B. Consideration and possible approval of Second Amendment to Memorandum of Understanding regarding the proposed conference center site between the City of Broken Arrow and Roland Investments, Ltd.

- C. Consideration and approval of Resolution of Necessity No. 649 to condemn property located in the Northwest Quarter of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma
- D. Consideration of and approval for the Mayor to execute an official ballot from the Oklahoma Municipal Assurance Group (OMAG) to fill two Trustee positions for 3-year terms

**10. City Manager's Report**

- A. None

**11. Preview Ordinances**

- A. None

**12. Ordinances**

- A. An ordinance amending Chapter 5, Article I, Section 5-11 of the Broken Arrow Code pertaining to Restriction on location of stables, kennels, coops, etc.; repealing all ordinances to the contrary; and declaring an emergency
- B. An Ordinance amending Chapter 5, Article I, Section 5-22, which pertains to Keeping of animals other than dogs and cats; repealing all ordinances to the contrary; and declaring an emergency

**13. Remarks and Inquiries by Governing Body Members**

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney for the purpose of conferring on matters concerning potential litigation regarding Wagoner County Rural Water District No. 4 and the potential purchase and appraisal of all related real property and related appurtenances and reasonable action in open session, under 25 O.S. § 307(B)(4) and 25 O.S. § 307(B)(3); Lucky 4 Holdings, LLC, et al. v. City of Broken Arrow, et al., Tulsa County District Court Case Number CV-2010-00323 and authorization to agree to foreclosure of an easement or other reasonable action in open session, as authorized by 25 O.S. § 307(B)(4); the potential purchase and appraisal of real property located in the area of the Creek Turnpike and Elm Place and in the area of 209th East Avenue and New Orleans, and reasonable action in open session under 25 O.S. § 307(B)(3); the tort claim of Christian Udoumoh and possible action on a settlement offer as authorized by 25 O.S. § 307(B)(4); and an update on the status of negotiations between the City and the FOP under 25 O.S. § 307(B)(2). In the opinion of the City Attorney, the Council is advised that disclosure of the above will seriously impair the ability of the public body to process the pending and potential litigation or proceeding in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

**15. Adjournment**

**NOTICE:**

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this \_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
City Clerk